

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GIGI FAIRCHILD-LITTLEFIELD,

Plaintiff,

vs.

R. AMEZCUA, et al.,

Defendants.

1:20-cv-00799-JLT-GSA-PC

**ORDER RE STIPULATION FOR
VOLUNTARY DISMISSAL WITH
PREJUDICE UNDER RULE 41
(ECF No. 63.)**

**ORDER DIRECTING CLERK TO CLOSE
FILE**

Gigi Fairchild-Littlefield (“Plaintiff”) is a state prisoner proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff’s First Amended Complaint filed on September 28, 2021, against defendant R. Amezcua (“Defendant”) for subjecting Plaintiff to adverse conditions of confinement in violation of the Eighth Amendment. (ECF No. 25.)

On March 17, 2023, the parties filed a stipulation for voluntary dismissal with prejudice under Rule 41 of the Federal Rules of Civil Procedure. (ECF No. 20.)

Rule 41 provides, in part: “Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary

1 judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.” Fed. R.
2 Civ. P. 41(a)(1)(A). Here, the parties have filed a stipulation of dismissal, with prejudice, signed
3 by all parties who have appeared in this case, stipulating to the dismissal of this action with
4 prejudice. (ECF No. 63.) Therefore, the stipulation is effective and this case is dismissed with
5 prejudice.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The stipulation for voluntary dismissal of this case, signed by Plaintiff and counsel
8 for defendant Raul Amezcua and filed on March 17, 2023, is effective as of the
9 date it was filed;
- 10 2. This case is DISMISSED in its entirety with prejudice; and
- 11 3. The Clerk of the Court is DIRECTED to close the file in this case and adjust the
12 docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

13
14 IT IS SO ORDERED.

15 Dated: March 19, 2023

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE